

**HB 3292 - H AMD 1109**

By Representative Armstrong

1 On page 1, after line 17, insert the following:

2 "Sec. 2. RCW 42.30.020 and 1985 c 366 s 1 are each amended to  
3 read as follows:

4 As used in this chapter unless the context indicates otherwise:

5 (1) "Public agency" means:

6 (a) Any state board, commission, committee, department,  
7 educational institution, or other state agency which is created by  
8 or pursuant to statute, other than courts (~~and the legislature~~);

9 (b) Any county, city, school district, special purpose  
10 district, or other municipal corporation or political subdivision  
11 of the state of Washington;

12 (c) Any subagency of a public agency which is created by or  
13 pursuant to statute, ordinance, or other legislative act, including  
14 but not limited to planning commissions, library or park boards,  
15 commissions, and agencies;

16 (d) Any policy group whose membership includes representatives  
17 of publicly owned utilities formed by or pursuant to the laws of  
18 this state when meeting together as or on behalf of participants  
19 who have contracted for the output of generating plants being  
20 planned or built by an operating agency.

21 (2) "Governing body" means the multimember board, commission,  
22 committee, council, or other policy or rule-making body of a public  
23 agency, or any committee thereof when the committee acts on behalf  
24 of the governing body, conducts hearings, or takes testimony or  
25 public comment.

26 (3) "Action" means the transaction of the official business of  
27 a public agency by a governing body including but not limited to  
28 receipt of public testimony, deliberations, discussions,  
29 considerations, reviews, evaluations, and final actions. "Final  
30 action" means a collective positive or negative decision, or an  
31 actual vote by a majority of the members of a governing body when

1 sitting as a body or entity, upon a motion, proposal, resolution,  
2 order, or ordinance.

3 (4) "Meeting" means meetings at which action is taken.

4 (5) "Executive session" means that part of a regular or special  
5 meeting that is not open to the public."

6  
7 Renumber the sections consecutively and correct any internal  
8 references accordingly.

9 On page 4, line 9, after "body" insert "or public agency, with  
10 a majority of its members present, for a meeting as defined in RCW  
11 43.30.020(4) or"

12 On page 4, line 9, after "session" insert "to discuss matters  
13 contained in RCW 43.30.110(1)"

14 On page 4, after line 31, insert the following:

15 "NEW SECTION. Sec. 4. The secretary of state shall submit  
16 this act to the people for their adoption and ratification, or  
17 rejection, at the next general election to be held in this state,  
18 in accordance with Article II, section 1 of the state Constitution  
19 and the laws adopted to facilitate its operation."

20 Correct the title.

**EFFECT:** (1) Requires a public agency holding an executive session to discuss matters authorized under the statute or a meeting to make a verbatim audio recording of the executive session or meeting. (2) Adds the requirement that a governing body have a majority of members present for a meeting or to discuss matters authorized for an executive session in order to trigger the verbatim audio recording requirement. (3) Applies the Open Public Meetings Act to the Legislature. (4) Provides a definition of executive session. (4) Adds a referendum clause.